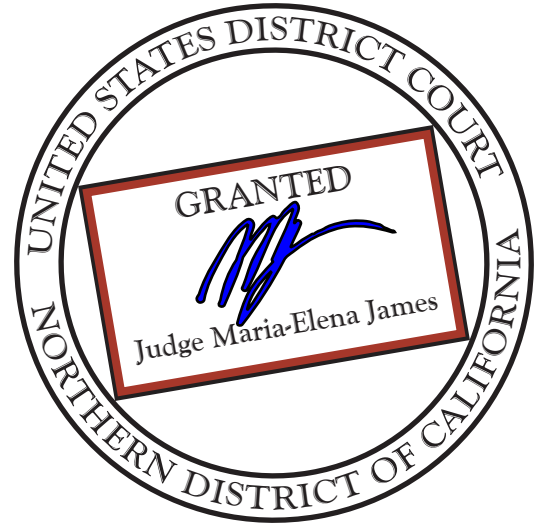


1 THOMAS E. FRAYSSE/State Bar No. 104436  
2 KNOX RICKSEN LLP  
3 1300 Clay Street, Suite 500  
4 Oakland, California 94612-1427  
5 Telephone: (510) 285-2500  
6 Facsimile: (510) 285-2505

7 Attorneys for Plaintiff  
8 LEWIS G. SHEPLER II, M.D.



9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 LEWIS G. SHEPLER II, M.D.,

Case No. C08-00240 MEJ

12 Plaintiff,

**PLAINTIFF'S NOTICE OF  
DISMISSAL**

13 vs.

14 UNUMPROVIDENT CORPORATION,  
15 THE PAUL REVERE LIFE INSURANCE  
16 COMPANY, NEW YORK LIFE  
17 INSURANCE COMPANY, and UNUM  
GROUP, inclusive,

18 Defendants.

19 \_\_\_\_\_ /

20  
21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

22 PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1),  
23 Plaintiff LEWIS G. SHEPLER, II, M.D., dismisses this action, in its entirety, with prejudice.

24 Defendants UNUMPROVIDENT CORPORATION, THE PAUL REVERE LIFE  
25 INSURANCE COMPANY, NEW YORK LIFE INSURANCE COMPANY, and UNUM GROUP,  
26 have been served with process, and have not filed an answer or motion for summary judgment.  
27 Plaintiff has not dismissed any other action based on or including the same claim or claims as  
28

those presented in this action.

Dated: April 18, 2011

**KNOX RICKSEN LLP**

By: /s/ Thomas E. Fraysse

Thomas E. Fraysse

Attorneys for Plaintiff

LEWIS G. SHEPLER II, M.D.